

JUL 14 2005 PCT/PTO 07 NOV 2005

PATENT
930008-2200

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : HOEFLE, ET AL
Serial No. : 10/535,630
For : TUBULYSINS, PREPARATION PROCESSES AND
TUBULYSIN PREPARATIONS
Int'l Appln. No. : PCT/EP03/011603
Int'l Filing Date : 20 October 2003 (20.10.03)
Priority Date : 21 November 2002 (21.11.02)
Examiner : Not Yet Assigned
Art Unit : Not Yet Assigned

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New York, NY 10151

EXPRESS MAIL

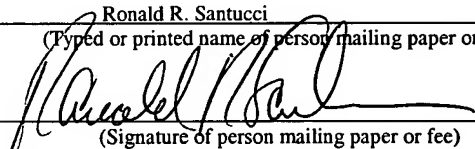
Mailing Label Number: EV713810261US

Date of Deposit: November 4, 2005

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Ronald R. Santucci

(Typed or printed name of person mailing paper or fee)


(Signature of person mailing paper or fee)

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:


In response to the Notification of Missing Requirements mailed August 29, 2005 for the above referenced patent application, Applicants enclose the following:

- a) a copy of the Notification of Missing Requirements;
- b) a request for a one month extension of time to respond to the Notification of Missing Requirements;
- c) a fully executed declaration for this application;
- d) an executed assignment document for this application along with a recordation cover sheet; and
- e) a check in the amount of \$290 which includes the surcharge for late filing of the declaration by a large entity (\$130), the requisite fee for a one month extension of time for a large entity (\$120) and the fee for the recording of the assignment document (\$40).

The Commissioner is authorized to charge any additional fees that may be required to Deposit Account No. 50-0320.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By:

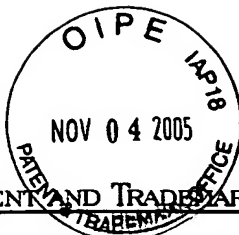

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11/14/2005 GFREY1 00000040 10535630

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| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|-----------------------------|-----------------------|------------------|
| 10/535,630 | Gerhard Hoefle | 930008-2200 |

INTERNATIONAL APPLICATION NO.

PCT/EP03/11603

I.A. FILING DATE

PRIORITY DATE

10/20/2003

11/21/2002

Frommer Lawrence & Haug
 745 Fifth Avenue
 New York, NY 10151

DOCKETED

CONFIRMATION NO. 9251
 371 FORMALITIES LETTER
 OC000000016887102
 OC000000016887102

Date Mailed: 08/29/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/20/2005
- Copy of the International Search Report filed on 05/20/2005
- Preliminary Amendments filed on 05/20/2005
- Information Disclosure Statements filed on 05/20/2005
- Oath or Declaration filed on 05/20/2005
- Request for Immediate Examination filed on 05/20/2005
- U.S. Basic National Fees filed on 05/20/2005
- Priority Documents filed on 05/20/2005
- Specification filed on 05/20/2005
- Claims filed on 05/20/2005
- Abstracts filed on 05/20/2005
- Drawings filed on 05/20/2005

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 FROMMER, LAWRENCE
 & HAUG, LLP

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the

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missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130 Surcharge.**

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/535,630 | PCT/EP03/11603 | 930008-2200 |